

**MINUTES**

**MONTANA SENATE  
58th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION**

**Call to Order:** By **VICE CHAIRMAN DALE MAHLUM**, on April 9, 2003 at 4 P.M., in Room 405 Capitol.

**ROLL CALL**

**Members Present:**

Sen. Keith Bales, Chairman (R)  
Sen. Dale Mahlum, Vice Chairman (R)  
Sen. Ken (Kim) Hansen (D)  
Sen. Sam Kitzenberg (R)  
Sen. Walter McNutt (R)  
Sen. Linda Nelson (D)  
Sen. Gerald Pease (D)  
Sen. Corey Stapleton (R)  
Sen. Mike Taylor (R)  
Sen. Joseph (Joe) Tropila (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Jennifer Stephens, Committee Secretary  
Doug Sternberg, Legislative Branch

**Please Note.** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing & Date Posted: SJ 30, 4/2/2003  
Executive Action:

HEARING ON SJ 30

Sponsor: SEN. MIKE TAYLOR, SD 37, PROCTOR

Proponents: Chris Christiaens, MT Farmer's Union  
Robert Quinn, Farmer, Big Sandy  
JOHN TESTER, SD 45, BIG SANDY  
ED BUTCHER, SD 47, WINIFRED  
Helen Waller, Northern Plains  
Jim Barngrover, Alternative Energy Resources  
Organization  
Lani Candelora, MT Catholic Conference

Opponents: Lochiel Edwards, Vice President, MT Grain Growers  
John Youngberg, MT Farm Bureau  
Pam Langley, MT AgriBusiness Association

Opening Statement by Sponsor:

SEN. MIKE TAYLOR, SD 37, PROCTOR, reminded the committee they had seen five different bills or resolutions concerning genetically modified wheat. Because of the seriousness of the issue, he thinks it is important that more research is done on the topic. He emphasized that information is the key to knowledge and if a person is going to make decisions, that person needs to have the knowledge to make the decisions. SEN. TAYLOR asserted that genetically modified wheat needed to be studied intensely before the committee made any decisions on how it might be grown in Montana. He submitted handouts to the committee, **EXHIBIT (ags76a01)**.

Proponents' Testimony:

Chris Christiaens, MT Farmer's Union, submitted written testimony, **EXHIBIT (ags76a02)**.

Robert Quinn, Farmer, Big Sandy, submitted written testimony, **EXHIBIT (ags76a03)**.

JOHN TESTER, SD 45, BIG SANDY, rose in support of SJ 30. He reminded the committee that agriculture is the number one industry in Montana. He said the potential introduction of genetically modified products demands that we do research now to see how these products might affect Montana's market.

**ED BUTCHER, SD 47, WINIFRED**, concurred with **SEN. TESTER'S** testimony. He noted the importance of research in order to know the possible impacts on Montana's farming community.

**Helen Waller, Northern Plains**, submitted written testimony, **EXHIBIT**(ags76a04).

**Jim Barngrover, Alternative Energy Resources Organization**, submitted written testimony, **EXHIBIT**(ags76a05).

**Lani Candelora, MT Catholic Conference**, explained that churches are often witness to the struggles of family farmers. She also believes that the farming community will absorb the affects of genetically modified grains. She supported SJ 30 in order to study the possible impacts on Montana's farming community.

**Opponents' Testimony:**

**Lochiel Edwards, Vice President, MT Grain Growers**, submitted written testimony, **EXHIBIT**(ags76a06).

**John Youngberg, MT Farm Bureau**, said he concurred with many of **Mr. Edward's** points. He doesn't think that Montana will be able to come up with new information about genetically modified wheat. He said that there are many other groups studying genetically modified wheat so we should utilize their facts instead of funding a research group of our own. He said there are a total of 36 research facilities who are currently researching genetically modified wheat, including Montana State University. He gave a brief explanation of the thoroughness of the studies.

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**Pam Langley, MT AgriBusiness Association**, submitted written testimony, **EXHIBIT**(ags76a07).

**Questions from Committee Members and Responses:**

**SEN. LINDA NELSON** asked **SEN. MIKE TAYLOR** if any other states are passing similar legislation. **SEN. TAYLOR** said yes; North Dakota was passing similar legislation.

**SEN. KEN HANSEN** asked **SEN. TAYLOR** if line 23 of the bill was accurate. He explained that earlier, he remembered hearing that 30% of Pacific Rim countries were opposed to genetically modified wheat; SJ 30 stated that a majority are opposed. He wanted to know which figure was accurate. **SEN. TAYLOR** said he would have the figure changed.

**SEN. KEITH BALES** asked **SEN. TAYLOR** if the phrase "state and local government entities" included state universities. **SEN. TAYLOR** said he thinks that "state and local government entities" would include state universities. **SEN. BALES** said he thinks it should be clarified in the bill whether or not state universities are included under government entities.

**SEN. DALE MAHLUM** asked **SEN. ED BUTCHER** if there are a lot of wheat farmers in his district. **SEN. BUTCHER** said there are many farmers in his district. **SEN. MAHLUM** further asked **SEN. BUTCHER** if he felt the farmers in his district had a fear of genetically modified grains. **SEN. BUTCHER** said there are a mix of some who are for and some who are opposed to genetically modified wheat. He added that organic farmers in his district are particularly worried.

**SEN. BALES** asked **Mr. Barngrover**, if it would make any difference if genetically modified wheat was introduced in Montana if other states around us were producing it. Specifically, he wanted to know if Montana's wheat could be contaminated just by being shipped with other states' wheat. **Mr. Barngrover** said most of North Dakota's wheat goes to the east and to Europe; not very much of it goes to the west. He said there is undoubtedly a concern, but he is more concerned that there is no recognized handling procedures to segregate genetically modified wheat from non-genetically modified wheat. **SEN. BALES** asked how wheat could be contaminated. **Mr. Barngrover** said wheat could be contaminated in rail cars, trucks, custom combines, elevators, or even by human factors. **SEN. BALES** asked if it seemed futile to try to segregate the wheat if contamination is bound to happen. **Mr. Barngrover** said that is why more research needs to be done. With more information, maybe farmers could successfully segregate their wheat without fear of contamination.

**SEN. BALES** asked **SEN. TAYLOR** what was meant by the line: "the development of wheat and barley and wheat and barley characteristics that appeal to the needs of the customer and that are economically beneficial to the producers." Specifically, he wanted to know what the interim committee would try to do. **SEN. TAYLOR** said he thought the interim committee should do studies similar to what the state of Minnesota did. He doesn't know if there is a problem with genetically modified products; that is why he thinks the interim study should go forth. He also pointed out the section of the bill that detailed liability. He said the liability issues would be critical to any study. He also agreed that the interim committee should not be a political forum but rather a neutral organization that gathers facts only.

**Closing by Sponsor:**

**SEN. MIKE TAYLOR, SD 37, PROCTOR,** said there is not enough information to make any decisions concerning genetically modified wheat. That is precisely why he thinks it is important to do further research on the subject. He reasoned that if the state of Minnesota knew all there is to know about genetically modified wheat, then the federal government would adopt that same information. He said that there is more to learn about genetically modified products and the more research that is done will only enable Montana to make better decisions. He added that he wants Montana to be able to make its own decisions. He closed on SJ 30.

**EXECUTIVE ACTION ON SJ 30**

**Motion:** **SEN. TAYLOR** moved that SJ 30 DO PASS.

**Motion:** **SEN. TAYLOR** moved that SJ 30 BE AMENDED.

**Discussion:**

**SEN. TAYLOR** said he would like to propose an amendment that would change "a majority of Pacific Rim countries" to "some Pacific Rim countries". He also wanted to clarify in the bill that stated entities also include state universities. He also wanted to insert the phrase "survey studies" into line 17. This would call for the interim committee to consider research done by other states.

**Motion/Vote:** **SEN. TAYLOR** moved that SJ 30 BE AMENDED. Motion carried unanimously.

**SEN. BALES** asked **SEN. TAYLOR** what kind of information could be expected of the interim committee. **SEN. TAYLOR** said that interim committee would report back to the legislature with the pros and cons of genetically modified wheat.

**SEN. JOE TROPILA** suggested the committee meet at a later time to go to executive action on the bill.

**SEN. TAYLOR** asked for 24 hours in order to amend the bill.

**SEN. WALTER MCNUTT** said he didn't think the bill could avoid political firestorm. He said that the committee could sleep on the bill as long as they wanted to but that wouldn't solve the problems in the bill. He said he has no confidence in an interim committee coming up with neutral research. He said he would

never want to be on such a committee because it would be a battle from day one. He doesn't think anything meaningful will come out of the research.

**SEN. TAYLOR** emphasized that something needed to be done to determine if genetically modified wheat would be good for Montana.

**SEN. BALES** asked the committee if it would be alright to postpone executive action on SJ 30. The committee had no problem postponing executive action.

**ADJOURNMENT**

Adjournment: 5;15 P.M.

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SEN. KEITH BALES, Chairman

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JENNIFER STEPHENS, Secretary

KB/JS

**EXHIBIT** (ags76aad)